

Testimony from Rep. Phillip Pavlov, 81st District State Representative



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MICHIGAN HOUSE OF REPRESENTATIVES

PHILLIP PAVLOV
STATE REPRESENTATIVE

Testimony before the House Judiciary Committee Wednesday, May 4, 2005 House Bill 4702

Chairman VanRegenmorter & Members of the House Judiciary Committee:

I would like to take this opportunity to thank you for allowing me to introduce House Bill 4702 which adds in the term "video game" to the definition of "sexually explicit." This legislation is a companion bill to Senate Bill 416, sponsored by Senator Cropsey, which deals with the violent component of video games.

Whether you are a parent or not, the welfare and well-being of our children is very important. It is our responsibility to protect our children and teach them right from wrong. With the surge of video games on the rise, it can become quite difficult to know what our children are doing. A vast majority of the video games targeting our children today are too violent and sexually explicit. That is why legislation is needed to regulate what our children can get a hold of. House Bill 4702 will prohibit the distribution of "sexually explicit" video games to minors age 17 and under.

For the committee members, I have attached a copy of House Bill 4702, an article from MSNBC.com and a letter of support from Citizens for Traditional Values.

Again, thank you for the opportunity to introduce House Bill 4702 and I look forward to answering any question and/or addressing any concerns you may have.

A handwritten signature in black ink that reads "Phillip Pavlov".

Phillip Pavlov
State Representative
81st District



Is that your joystick?

Or are you playing 'Leisure Suit Larry?'

By Tom Loftus

Columnist

MSNBC

Updated: 3:56 p.m. ET Oct. 12, 2004

If you thought Playboy went heavy on the airbrushing, wait until you review this month's issue which devotes several glossy pages to the vixens of video games. The arbiter of mainstream American male fantasy has spoken: Digital is the new silicone.

Video games have always contained a dollop of sexuality. A stunted, immature grasp of it, perhaps, but sex nonetheless. Think Lara Croft or the armies of muscled he-men and "Freyas" in the role-playing universe; how the latter wears chain mail defies gravity.

Fall 2004 is taking sex in gaming to new levels. In addition to the Playboy pictorial, the season marks the debut of three adult titles: "Leisure Suit Larry: Magna Cum Laude;" "Playboy: The Mansion;" and "The Guy Game," an interactive trivia game which features video of topless co-eds on Spring Break.

Such games with adult humor and occasional nudity have been a mainstay for the more adult-friendly PC platform for a decade. But this time all three titles appear on gaming consoles; platforms synonymous with the family living room.

In an age when a porn star's autobiography can land on the New York Times best-seller list is the last taboo in video games officially passé?

Return of an old pervert

Not only passé, said Josh Van Veld, producer of "Leisure Suit Larry: Magna Cum Laude," but also just wrong.

"Nudity has been part of our culture for some time -- we may have underestimated people's capacity for it in the media and in games," he said.

"Leisure Suit Larry" was a minor hit for the PC in the 1990's thanks to a campy sexual plot revolving around a pigeon-chested loser's quest for sex. "Magna Cum Laude," boasts superior graphics and production compared to the original series, but it reprises the double-entendres, the bevy of bodacious female characters with names like Barbara Jo Bimbo and the very soft-core nudity.

The game is rated "M for Mature" by the Entertainment Software Ratings Board, a game industry third-party that affixes a rating -- from "E for Everyone" to "Adults Only" -- to mass market titles. Small-print underneath the rating affixed to the game packaging notes that the game contains strong language, use of alcohol, nudity and strong sexual content.

"We really piled up a lot of stuff you don't see in games," said Van Veld.

Wal-Mart recently pulled "Leisure Suit Larry: Magna Cum Laude" citing poor sales.

Older gamers, "mature" tastes

Wal-Mart may have cold feet, but Sony and Microsoft appear to be firmly behind "Leisure Suit Larry" and similar titles.

"Sony and Microsoft were pretty cautious about it," said Van Veld. "They said that they would honor what the ESRB said, but that they would not release a game with an Adults Only rating."

Why did "Leisure Suit Larry" require the support of Sony and Microsoft? In the PC industry, any developer

with the know-how can release a game. Developing a game for the Xbox, PlayStation 2 or the GameCube is different -- the console makers have the final say over what gets released on their platform.

(MSNBC is a Microsoft-NBC joint venture.)

Microsoft spokeswoman Molly O'Donnell said the company simply follows ESRB ratings when it decides to allow release of a game on its platform.

"Not all games are for all audiences," she said in an e-mail. "We believe in the freedom of game developers and publishers to create their games with a wide range of content and we believe in the freedom of choice for customers in what they purchase. ... We rely on the ESRB to be the arbiters of content, while we refrain from censorship activities ourselves."

Sony and Microsoft's willingness to approve "Larry" and "The Guy Game" for their respective platforms reflects the reality of the gaming audience today, said Patricia Vance, president of the ESRB.

"The average age of a gamer is 29. Gamers are getting older and they want mature content," she said.

Video game players are getting older. Over 64 percent of Sony PlayStation 2 owners are over the age of 18, according to Sony. They've grown up with the medium. Their memories of playing "Defender" as a kid may be clouded with the same wispy nostalgia a previous generation had for watching "The Beatles" on "The Ed Sullivan Show."

If they want their games to tackle more mature subject-matter, well, why not?

Fall Line-up

The intended audience for this year's Fall line-up doesn't seem to be adult gamers with discriminating tastes, but horny teenagers.

There's "Leisure Suit Larry," a sex-quest loaded with double entendres that were old when Benny Hill was still wearing short pants.

"Leisure Suit Larry" looks like Mr. Magoo compared to the "The Guy Game," a title as tasteless as the light beer its intended audience drinks. Instead of digitized T&A, players are treated to videos of topless co-eds on Spring Break stumbling over trivia questions like: "What animal lays the biggest egg?"

Wrong Stephanie, elephants do not lay eggs. Off with the top.

"Playboy: The Mansion" is dedicated to the ultimate American desire: Power. In this business sim, players vie to move up the porn empire, from dirt bag to a cyber Hugh Hefner. There are models to hire, magazines to produce and naturally a trove of hidden Playboy pictorials to ogle.

Riffing on established genres like adventure, trivia and sims, none of these games break new boundaries -- beyond taste of course.

"Leisure Suit Larry's" Van Veld is convinced that racy games will not only please gaming's established audience, but bring in new people.

"We're using adult humor and sex to make a game that is amusing more than it is challenging," he said. "It's not really for the hard-core gamer, but someone who wants a little humor."

For all the aging of the demographic, sales favor titles aimed at a wider audience. In 2003, six of the ten top-selling games, received the ESRB's rating of "E for Everyone." Three earned a "T for Teen" rating. Only one game in the top sellers, "Grand Theft Auto: Vice City," received an "M for Mature" rating and that rating had more to do with violence than sex.

So whether or not Fall 2004's marks the advent of new adult titles for gaming consoles remains to be seen.

Until then gamers will have to figure out whether it's worth \$40 to watch a young co-ed on "The Guy Game," miss a question on Freud, flash her top and swear "Who the ### is Oedipus?"

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